

Notice of Allowability	Application No.	Applicant(s)	
	10/597,322	DREES, FRANK	
	Examiner	Art Unit	
	MARK TSIDULKO	2885	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 7/1/2009.
2. The allowed claim(s) is/are 1 and 3.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date 20091125.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Allowance

The submission of amendment filed on 7/1/2009 is acknowledged. At this point claim 3 have been amended and the remaining claims left unchanged. Thus, claims 1-3 are pending in the instant application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Vogelbacker (Reg. No. 58,877) on 11/25/2009.

The Application has been amended as following:

Amend Claim 1 as follows:

Claim 1. (Currently Amended)

A built-in light comprising:

A frame (1) ~~which can be~~ mounted to a ceiling and having a central opening;

A retaining hoop (2) ~~which can be~~ fixed to the top side of the frame and the retaining hoop spans bridge-like over the central opening;

A light reflector (4) ~~which can be~~ connected to the frame (1) and a fitting carrier (3) ~~which can also be~~ connected to the frame (1);

wherein there are provided latching means for connecting the fitting carrier (3) to the retaining hoop (2), the latching means characterized in that the retaining hoop (2) includes tongues (2c) with lateral guide surfaces (2d) for guiding the fitting carrier (3) and support surfaces (2e) engaging thereunder for drawer-like receiving the fitting carrier (3) on the retaining hoop (2) and that the fitting carrier (3) has laterally extending slide bars (3a) which in installation position engage into the tongues (2c) of the retaining hoop (2), wherein the latching means further characterized in that the fitting carrier (3) has latching tongues (3b) which in the installation position engage behind corresponding undercut configurations on the retaining hoop (2).

Cancel claim 2.

Claims 1 and 3 are allowed.

The following is an examiner's statement of reasons for allowance:

Referring to independent Claim 1 the prior art of record fails to show a built-in light including a retaining hoop having undercut configurations and a fitting carrier having latching tongues which in the installation position engage behind corresponding undercut configurations on the retaining hoop, and as specifically called for the claimed combination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571) 272-2384. The examiner can normally be reached on 9:30 – 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jong-Suk (James) Lee can be reached on (571) 272-7044. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M.T./
November 25, 2009

/Jong-Suk (James) Lee/
Supervisory Patent Examiner, Art Unit 2885